

REMARKS

Reconsideration of this Patent Application is respectfully requested in view of the foregoing amendments and the following remarks.

The amendments to this Patent Application are as follows.

Enclosed herewith is one sheet of proposed drawings which are being filed to comply with the requirement of the Patent Examiner. Also, the U.S. Specification on Page 5 is being amended to provide support for the added one drawing sheet.

In the claims, original method claim 1 has been cancelled and has been replaced with new method claim 7. In addition, the dependency of dependent claims 2 and 3 has been revised to now depend from new method claim 7.

Also, original apparatus claim 5 has been cancelled and has been replaced with new apparatus claim 8. In addition, the dependency of dependent claim 6 has been revised to now depend from new apparatus claim 8.

No new matter has been introduced by this Amendment.

The Applicants comment upon the prior art rejections of the claims as follows.

In the newly added claims, a continuous process is claimed as a predominant feature of the invention i.e. the process as described in example 2 of the instant application and in the original apparatus claim 5 as one of two alternatives. Moreover, the continuous embodiment of the invention has proved to be optimal.

In comparison to the continuous process recited by the new claims, none of the prior art references cited by the Patent Examiner discloses a continuous drying method in general. Specifically none of those references discloses a method for drying books and paper material, which due to their special properties require a specific approach.

The omission of the two principal features in each of the references indicates that the solution according to the claimed invention is substantially different from any of the references and also does not fall within the scope of the current practice of anybody skilled in the art.

In the claimed continuous process, the drying temperature and the condition of the material dried may be easily controlled, which is not the case with the prior art discontinuous process, wherein the material is kept in a closed container. The precise control is urgently required for such a sensitive and valuable material as books or various paper documentation. The claimed continuous process and apparatus is a significant improvement for solving the main problem encountered by microwave drying; i.e., preventing overheating and preventing generation of hot-spots which phenomena may cause the destruction of the material.

Typically, this problem is not crucial with the applications taught by all three references cited, i.e. *Lunan*, *Beecroft* and *Yagi*. This is because their disclosures are directed to the drying of plant or plant products (with the exception of *Yagi*, where laundry is included, and *Levinson* which mentions books in the Abstract, but not in the Examples).

Lunan (U.S. Patent No. 6,381,869 B1) in column 1, lines 44 to 51, discloses a device for pressing and drying organic materials in a microwave oven. The organic material is inserted between two sheets of thin cloth which are, in turn, sandwiched between two thick felt pads. These pads are then sandwiched between platens made from inorganic material, preferably ceramic, such

as unglazed terra cotta. The assembly is placed in a microwave oven and heated, resulting in a pressed and dried organic material.

Lunan discloses a second layer consisting of organic material (such as felt). The use of such a material may be suitable for plants but is clearly detrimental to books and documents for its potential to create hot-spots and even for its tendency to inflammation, specifically in the prior art batch process.

Thus, *Lunan* fails to teach or to suggest the claimed continuous process.

Beecroft (U.S. Patent No. 5,948,311) in column 1, lines 4 to 8 discloses a development in what are commonly referred to as flower presses by which to dry plants and parts thereof and particularly to a press of this general character which effects drying of plant material by means of electro-magnetic energy such as microwaves.

Furthermore, in column 1, lines 46 to 50, *Beecroft* discloses a press for drying plant material, either whole plants or parts of plants, by a means which achieves a more convenient drying in an accelerated drying process.

Beecroft further discloses, in column 1, lines 54 to 67, a press for drying parts of plants, plant parts, flowers and the like comprising:

at least two support elements between which items to be dried are sandwiched, in use; and

support means by which to hold the support elements together; wherein

the support elements and the support means are microwave permeable, or substantially transparent to microwaves, to expose, in use, these items to microwave heating; and

the support elements are substantially permeable to vapour caused by the heating.

Thus, *Beecroft* fails to teach or suggest the claimed continuous process.

Yagi (U.S. Patent No. 5,859,412), in column 1, lines 6 to 14, discloses a method of drying materials and an apparatus therefor for drying a wide variety of materials such as cut flowers including natural flowers and flowering plants, vegetables including leafy vegetables, tuberous vegetables, stalky vegetables and fruiting vegetables, leafy plants such as tobacco, seafoods, meats, laundry including medical laundry,

industrial laundry and household laundry, and other materials such as wood and ceramic powder.

Thus, *Yagi* fails to teach or to suggest the claimed continuous process.

Enclosed is PTO Form-1449, listing *Levinson (U.S. Patent No. 4,103,431)* and *GB 2,249,619*. These two references were cited in the Search Report of the European Patent Office that may be deemed to be relevant to the present patent application.

(1). *U.S. Patent No. 4,103,431 (Levinson, Melvin L.):*

This patent is known to the Patent Examiner and has been cited by way of a reference. *Levinson* teaches a batch drying process running at a substantially higher temperatures by using a pressure chamber for controlling the drying temperature substantially at two stages. The described conditions of drying including the use of a microwave generator are not suitable for such a sensitive material as books and paper material and does not suggest continuous drying with any combination of ceramic plates.

(2). *GB patent application 2,249,619A (Management & Guidance Services - Simpson).*

Simpson discloses an apparatus for drying a stack of books by using hot air as a drying medium and moisture absorbing tiles in close contact with the books and firmly pressed against it in a discontinuous process. Alternatively, the application discloses an apparatus for the continuous drying of single paper sheets arranged on an endless stainless steel screen belt. The heating is effected by infra-red lamps and fans and the sterilization by ultra-violet radiation at the final stage. Both devices rely on the hot-air drying and nothing in the description suggests the use of a microwave heating in combination with ceramic plates. On the contrary, the continuous process avoids the use of ceramic tiles.

For all these reasons, none of the prior art references provide an identical disclosure of the claimed invention. Hence, the present invention is not anticipated under 35 U.S.C. 102. Withdrawal of this ground of rejection is respectfully requested.

In summary, claims 1 and 5 have been cancelled and claims 7 and 8 have been added and claims 2, 3 and 6 have been amended. In view of these amendments, it is firmly believed that the present invention, and all the claims, are patentable under

35 U.S.C. 103 over all the prior art references applied by the
Patent Examiner.

A prompt notification of allowability is respectfully
requested.

Respectfully submitted,
MILAN HAJEK ET AL 2



Allison C. Collard, Reg.No.22,532

Edward R. Freedman, Reg.No.26,048

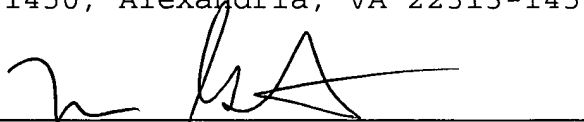
Attorneys for Applicants

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, NY 11576
(516) 365-9802

Enclosure: 1. Proposed 1 Sheet of Drawings
2. PTO Form-1449

ERF:lgh

I hereby certify that this correspondence is being deposited
with the U.S. Postal Service as first class mail in an envelope
addressed to: MAIL STOP MISSING PARTS, Commissioner of Patents,
U.S. PTO, P.O. Box 1450, Alexandria, VA 22313-1450, on
December 9, 2004.

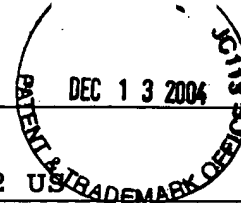


Maria Guastella

IN THE DRAWINGS:

Please add the One Sheet of Proposed Drawings attached hereto.

DEC 13 2004

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. :

HAJEK ET AL 2 US

SERIAL NO.

10/748,905

LIST OF REFERENCES CITED BY
APPLICANT

(Use several sheets if necessary)

APPLICANT : Milan HAJEK ET AL 2

FILING DATE: December 30, 2003

GROUP: 3749

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,103,431	8/1978	Levinson			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	GB 2,249,619A		Great Britain				
	AM							
	AN							
	AO							
	AP							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR		
	AS		
	AT		

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.